

**BOUNDARY COMMISSION
ST. LOUIS COUNTY, MISSOURI**

**MINUTES OF PUBLIC HEARING - BC9701
March 18, 1997**

COMMISSION ATTENDANCE:

| COMMISSIONER | PRESENT(P)/ ABSENT(A) |
|--------------------|--------------------------|
| ED BRUER | P |
| JULIUS FRAGER | P |
| AGNES GARINO | P |
| DENISE HADDOCK | P |
| SCOTT MIDDELKAMP | P |
| JACK REHAGEN | P |
| CHARLES SAULSBERRY | P |
| JACK WIESEHAN | A |
| ANNA MARIE WINGRON | P |
| DON WOJTKOWSKI | A |
| VACANCY | |

OTHERS PRESENT:

Carl Ramey - Executive Director

Steve Martin - Legal Counsel

Libby Rohlfig - Administrative Assistant

CALL TO ORDER

Chairperson Wingron called to order the meeting of the Boundary Commission at 7:00 p.m. on March 18, 1997. The meeting took place at the office of the Boundary Commission in Brentwood, Missouri. The purpose of the meeting was to conduct a public hearing on a simplified boundary change proposal submitted by the City of Ellisville to annex unincorporated territory described in their proposal as 207 Kiefer Creek Road (BC9701).

**PUBLIC HEARING - BC9701 - 207 KIEFER CREEK ROAD ANNEXATION PROPOSAL
- CITY OF ELLISVILLE**

A. CONVENE PUBLIC HEARING

Chairperson Wingron convened the Public Hearing at 7:00 p.m. for BC9701, a proposal by the City of Ellisville to annex an area known as 207 Kiefer Creek Road.

B. PRESENTATION BY PROPOSING AGENT - CITY OF ELLISVILLE

Donald Anderson, the attorney representing the City of Ellisville, introduced the City's proposal for a simplified boundary change to incorporate a 2.5 acre parcel of land that is completely surrounded by the City of Ellisville. He stated the area essentially fits the definition of an unincorporated pocket as described in Chapters 72 of the Missouri Revised Statutes. The owner in Trust of the parcel intends for the land to be included in a residential development planned for an 18 acre area directly to the north, which is already located within Ellisville. The owner under contract, the developer, approached the City to initiate this proposal, and the Trustee signed a petition demonstrating their agreement. The proposal was presented to the City Council and received their unanimous approval. He stated there was no public opposition and the entire process has been volitional by the owners. The main change would be in zoning, from the County's R-2 to the City's R-1 category, which is still single family, but lowers the minimum lot size requirement to 12,000 square feet. Mr. Anderson then introduced the City Manager, Steve Arbo, and the Assistant City Manager, Jeffrey LaGarce.

Mr. LaGarce stated that the issues pertinent to the boundary change were addressed in their proposal's plan of intent. He outlined the advantages of this proposal to the petitioner, the City of Ellisville, and St. Louis County. He suggested the proposal will alleviate logistical problems for the County in servicing this small, isolated area, particularly if it develops as planned. It was initiated by letters received from both the developer and the Watson Property Trustee, the fee owner of the parcel. He stated there are no known disadvantages to any affected party, neither the potential residents of the development nor the adjacent residents. The greatest advantage would be in maintaining consistent development and home building standards. The three houses projected for this property will be included in the development, utilizing uniform building codes and zoning. The developer would benefit from working with one jurisdiction instead of two, simplifying issues regarding regulations, escrow accounts, etc. He indicated on the map the two northern tracts of the proposed development within Ellisville city limits, arguing that uniformity would prevent complaints from the residents, improve public relations for the City in this area, and cut down on bureaucracy. Although the City has not officially received a preliminary plat, he indicated the developers plan to use Ridgeway Drive for primary access. It is currently a dead-end street, immediately to the southwest of the 207 Kiefer Creek Road property.

The proposed houses would enjoy close proximity and access to Bluebird Park, a 160 acre park with a recreation area offering a swimming pool and tennis courts. Due to the compactness of the area, the City already has the resources to extend services such as policing, zoning, and building code administration. In addition, they will be eliminating an unincorporated pocket in the City. This leaves one remaining pocket within their corporate boundaries. At present there are no

financial advantages to the City, though after the 2000 census, the benefits from the pool sales tax would provide approximately \$8000 a year in revenue to the City. Presently, the net income from the boundary change, whether it remains a farm house or is developed, would be less than \$200 a year. Finally, as an additional benefit to future residents of the area, the City will provide better local representation than they would receive as an isolated pocket of the County.

C. *QUESTIONS FROM THE BOUNDARY COMMISSION*

Commissioner Rehagen asked how many acres the area includes. Mr. LaGarce responded approximately 2.5 acres. Mr. Rehagen asked about the proposed changes in zoning. Mr. LaGarce stated that the property is currently zoned R-2 by St. Louis County government, after experiencing a zoning change in November. Ellisville proposes to zone the property R-1, which is the closest category in their ordinances, and meets the desired uniform zoning of the developers. The 15,000 square feet required by the County's ordinance exceeds the zoning requirements in Ellisville which range from a ½ acre down to 12,000 feet.

Commissioner Bruer asked if they have the developer's plans. Mr. LaGarce answered that the developer has not platted the property yet. The preliminary plans were tendered to the staff, but they have not gone before the Plan Commission for review. They are proposing to build approximately thirty homes.

Commissioner Garino asked how this is possible due to the size of the property. Mr. LaGarce clarified that there will be thirty homes in the entire development, which spans both the unincorporated pocket, and the two tracts currently in the City of Ellisville, an aggregate total of about 18 acres. Only three homes are planned to be built on the unincorporated parcel.

Commissioner Bruer asked if this proposal was initiated by the buyer or the seller. Mr. LaGarce replied both parties are in favor of the change. The petitioner is the seller, the trustee, but the owner under contract initiated the proposal. Mr. Bruer asked who the contractor is. Mr. LaGarce answered Epic Homes. Currently the subject property only holds a small farmhouse which is the reason why it will be zoned R-1 for undeveloped open space.

Commissioner Garino asked why this pocket was created in the first place. Mr. LaGarce explained it has been there for decades because the previous owner did not want to pay the higher property taxes required by the City of Ellisville.

Commissioner Garino asked why the cost estimates for Public works, for the maintenance of their parks, goes down in their projections while everything else rises steadily. Mr. LaGarce stated that the City has one of the largest per capita acreage of parks of any city in the U.S., which is why they are called "Tree City, U.S.A." He explained that they received a trail grant in 1997 which accounts for the significantly higher cost in the first year of the three year projection.

Commissioner Garino asked what the estimated value of the homes in the development will be. Mr. LaGarce estimated in excess of \$250,000 due to the site development costs. Commissioner Bruer inquired about the nature of the land. Mr. Arbo responded it is beautiful, flat terrain.

Commissioner Garino asked about the neighboring subdivisions. Mr. LaGarce responded the adjoining subdivision is combined duplex and single family, so this development will represent a tremendous upgrade, and the only complaint might be a concern over increased traffic. But one of the Council members lives in that neighborhood, and has raised no objections.

Commissioner Rehagen asked what kind of road Kiefer Creek is. Mr. LaGarce replied it is a two lane County arterial road. Although they have consistently developed the road, the plans the County approved for needed improvements have never been implemented, although they continue to collect the TGA funds. The creek needs to be closed and the streets widened, because it remains a dangerous road.

Commissioner Garino asked why in the executive summary the figures demonstrate so low an increase in assessed valuation for this property. Mr. LaGarce explained they estimated for only three homes, and the figures are the increase in property value (assessed valuation) for each home. The assessed valuation is already \$105,000 for the current home.

D. Public Comment

There was no public comment

Further Questions by the Commission

Though this is a simplified boundary change with all parties in agreement, the Commission in their Rules offers a 21 day time period for written comments from the public. Therefore this proposal will be placed on the agenda for a decision on April 15. The finding will not be approved until the following meeting, again in compliance with the Rules, with the effective date of the annexation being determined by the Commission by the time of the decision.

Commissioner Middelkamp motioned to place the vote for BC9701 on the April 15 agenda. Commissioner Bruer seconded the motion. Roll Call Vote: Ayes: Bruer, Frager, Garino, Haddock, Middelkamp, Rehagen, Saulsberry, Wingron. Nays: none. *The motion passed.*

E. ADJOURNMENT

There being no further members of the public desiring to comment, the public hearing was declared closed by Chairperson Wingron at 6:45 p.m.

Respectfully submitted,
Carl E. Ramey
Executive Director

Approved April 15, 1997